

UNITED STATES DISTRICT COURT

for the
District of South Carolina

Mark Smalls

Plaintiff

v.

Nelson V. Leeke, et al.; Byers, SCDC Director;
Unknown(s), SCDC Defendants to be amended;

Defendant

)
)
)
)
)

Civil Action No. 1:12-01611-JMC-SVH

JUDGMENT IN A CIVIL ACTION

The court has ordered that *(check one)*:

☐ the plaintiff *(name)* _____ recover from the defendant *(name)* _____ the amount of _____ dollars (\$___), which includes prejudgment interest at the rate of ____ %, plus postjudgment interest at the rate of ____ %, along with costs.

☐ the plaintiff recover nothing, the action be dismissed on the merits, and the defendant *(name)* _____ recover costs from the plaintiff *(name)* _____.

☒ other: the plaintiff, Mark Smalls, shall take nothing of the defendants, Nelson V. Leeke, Byers and Unknown(s), as to the complaint filed pursuant to 42 U.S.C. §1983 and this action is dismissed without prejudice for lack of prosecution and for failure to comply with this court's orders pursuant to Rule 41(b).

This action was *(check one)*:

☐ tried by a jury, the Honorable _____ presiding, and the jury has rendered a verdict.

☐ tried by the Honorable _____ presiding, without a jury and the above decision was reached.

☒ decided by the Honorable J. Michelle Childs, United States District Judge, presiding, which dismissed the action without prejudice.

Date: July 24, 2012

LARRY W. PROPES, CLERK OF COURT

s/A. Buckingham

Signature of Clerk or Deputy Clerk